

SUMMARY MEETING MINUTES
DARIEN ZONING BOARD OF APPEALS (ZBA)
May 14, 2014

REGULAR MEETING

Darien Town Hall - Room 206 – 7:48 to 9:55 PM

ZBA members present: Chuck Deluca, Gary Greene, Vic Capellupo, Rich Wood and Ruth Anne Ramsey

Staff Present: Code Compliance Officer Robert Woodside and Recorder Judy Fazekas

OPENING

ZBA Chair Chuck Deluca opened the meeting at 7:48 PM. He requested cooperation and explained several procedural steps that would be used to conduct the meeting following the posted Agenda.

POSTPONEMENTS, CONTINUATIONS, AND WITHDRAWALS

Mr. Deluca announced that the Public Hearing of Calendar No. 20-2014, the application of Law Office of Bruce Hill, LLC on behalf of 145 NWL LLC, 145 Nearwater Lane, is postponed to June 18, 2014, at the applicant's request.

Mr. Deluca announced that the Public Hearing of Calendar No. 21-2014, the application of Nicholas A. Sajda and Pagliaro Bartels Sajda Architects on behalf of David & Albertine Madon, 15 Shennamere Road, has been cancelled due to the application's withdrawal by the applicant.

CONTINUATION OF PUBLIC HEARING

The following hearing was continued from the February 12, 2014, March 12, 2014 and April 23, 2014 meeting with various plans and submitted application materials reviewed, possible correspondence and public comment considered, questions asked, and comments made by the ZBA members and Staff:

CALENDAR NO. 4-2014 - the application of Robert F. Maslan, Jr., Esq. and Maslan Associates PC on behalf of Dean C. & Ann K. Ravosa submitted on January 3, 2014 for an appeal under Section 1122, of the Darien Zoning Regulations, of the order,

requirement, decision, and/or determination of the Zoning Enforcement Officer; in order to allow the existing landscape plantings and change in grade to remain. The property is situated on the south side of Royle Road approximately 725 feet west of the intersection with Mansfield Avenue and is shown on Assessor's Map #6 as Lot #46, being 19 Royle Road and located in an R-1/2 (residential) Zone.

David Keating, Zoning Enforcement Officer, answered various questions and explained various aspects of the Zoning Regulations and the violation in this matter. Attorney Robert Maslan, representing the Ravosas, answered various questions and explained the proposed appeal. Attorney Wilder Gleason, representing the Hanfords, objected to various aspects of the application. Barry Hammons, Professional Engineer, spoke on behalf of the Hanfords as well. The Public Hearing was then closed.

PUBLIC HEARINGS

The following hearings were held with various plans and submitted application materials reviewed, possible correspondence and public comment considered, questions asked, and comments made by the ZBA members and Staff:

CALENDAR NO. 17-2014 - the application of Patricia & Glenn Hoffman submitted on April 16, 2014 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of a front entry trellis; Section 406: 50.2 in lieu of 90.0 feet minimum required front yard setback. The property is accessed from a shared driveway situated on the east side of Old Kings Highway South approximately 600 feet northeast of Glen Gorham Lane and is shown on Assessor's Map #49 as Lot #40, being 217 Old Kings Highway South and located in the R-1/2 and R-1 (residential) Zones.

Glenn Hoffman answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

CALENDAR NO. 18-2014 - the application of Beth Harrington-Howes and Beth Harrington-Howes, LLC filed on behalf of Erica & William Ozanne submitted on April 16, 2014 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of second floor additions and interior alterations; Section 406: 29.7 in lieu of 30.0 feet minimum required front yard setback. The property is situated on the west side of Hoyt Street approximately 80 feet south of the intersection with Echo Drive North and is shown on Assessor's Map #30 as Lot #48, being 80 Hoyt Street and located in the R-1/3 (residential) Zone.

Beth Harrington-Howes answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

CALENDAR NO. 19-2014 - the application of James Hines and JMK Construction Group LLC on behalf of Carlyle & David Upson submitted on April 16, 2014 for variances of Sections 406 and 334 of the Darien Zoning Regulations; to allow the installation of an AC compressor in one of two locations; Section 406 for Option 1: 3.8 in lieu of 10.0 feet minimum required southwest side yard setback, 23.6 in lieu of 25.0 feet minimum required rear yard setback, and 21.2 in lieu of 25.0 feet minimum required total of two side yards setback; or for Option 2: 8.5 in lieu of 10.0 feet minimum required southwest side yard setback, 18.5 in lieu of 25.0 feet minimum required rear yard setback; and for both Options: 27.1 in lieu of 20.0% maximum allowable building coverage and Section 334: installation of a building feature on a lot with 86.0 in lieu of 100.0 feet minimum required lot depth. The property is situated on the northwest side of Oakland Terrace approximately 200 feet south of the intersection with Boston Post Road and is shown on Assessor's Map #54 as Lot #24, being 5 Oakland Terrace and located in an R-1/3 (residential) Zone.

Jim Hines answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

DELIBERATIONS AND DECISIONS

The following decisions were made after the ZBA members reviewed the public hearing comments, the submitted plans and other application materials, and carefully considered possible stipulations to ensure the best possible project fit among the neighboring properties:

CALENDAR NO. 17-2014 - The application of Patricia & Glenn Hoffman, 217 Old Kings Highway South. Upon a motion by Gary Greene, seconded by Ruth Anne Ramsey, the ZBA voted 5-0 to GRANT the above delineated, requested variance.

CALENDAR NO. 18-2014 - The application of Beth Harrington-Howes and Beth Harrington-Howes, LLC filed on behalf of Erica & William Ozanne, 80 Hoyt Street. Upon a motion by Ruth Anne Ramsey, seconded by Rich Wood, the ZBA voted 5-0 to GRANT the above delineated, requested variance.

CALENDAR NO. 19-2014 - The application of James Hines and JMK Construction Group LLC on behalf of Carlyle & David Upson, 5 Oakland Terrace. Upon a motion by Vic Capellupo, seconded by Gary Greene, the ZBA voted 5-0 to GRANT the above delineated, requested variances.

CALENDAR NO. 4-2014 - The application of Robert F. Maslan, Jr., Esq. and Maslan Associates PC on behalf of Dean C. & Ann K. Ravosa, 19 Royle Road. The ZBA deliberated regarding this application and then determined to table the matter, allow staff to draft some possible findings, and continue the deliberation at a Special ZBA meeting on May 28, 2014.

OTHER BUSINESS

The following additional decisions were made after the ZBA members reviewed the submitted documents, correspondence and/or project plans:

Requested amendment to the approved plans of Calendar No. 9-2014, Julie Pagnozzi, 87 Old Kings Highway South.

Upon a motion by Gary Greene, seconded by Rich Wood, the ZBA voted 5-0 to APPROVE the requested amendment.

Review of Giovanni's sign proposal.

General discussion and project updates took place.

Approval of Minutes of meeting on March 12, 2014. ZBA members attending this meeting were Chuck Deluca, Vic Capellupo, Gary Greene, Ruth Anne Ramsey, and Rich Wood.

This matter was tabled until the next scheduled ZBA meeting.

Special Executive Session prior to June 18 meeting with Assistant Town Attorney John Louizos regarding ZBA findings consistent with legal procedures and policies.

This matter was briefly discussed.

Possible recommendations for Regulation changes and discussion with P&Z Commission.

This matter was tabled.

ADJOURNMENT

The meeting was adjourned at 9:55 PM.

These Meeting Minutes,
Respectfully submitted May 27 2014,
by Robert Woodside,
Code Compliance Officer
ZBA Staff

These Minutes were reviewed by the attending ZBA members, modified as necessary, and upon a motion by Chuck Deluca, seconded by Vic Capellupo, the ZBA voted 3-0 at the ZBA meeting on July 16, 2014. Chuck Deluca, Vic Capellupo and Ruth Anne Ramsey voted in favor of the motion. Gary Greene and Rich Wood previously indicated their approval.

ZBA/05.14.2014MtgMin